

1 HONORABLE RONALD B. LEIGHTON  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 GEORGE PETER BECK, a single man,  
11 and SANDRA RADCLIFFE-BECK, a  
12 single woman,

Plaintiffs,

13 vs.  
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15 SAXON MORTGAGE, INC., a Virginia  
16 Corporation and subsidiary of Morgan  
17 Stanley, SAXON MORTGAGE SERVICES,  
18 INC., a Virginia Corporation and  
19 subsidiary of Morgan Stanley; JOHN  
20 WAGNER ESCROW, an unlicensed  
21 business conducting closing and escrow  
22 services in Washington; REGIONAL  
23 TRUSTEES SERVICES  
24 CORPORATION, a Washington  
25 Corporation; NORTHWEST LOAN CENTER a  
26 Washington Corporation; THE LAW  
27 OFFICES OF JOHN WAGNER, P.S, a  
28 Washington Corporation; DEUTSCHE  
BANK TRUST COMPANY AMERICAS  
(d/b/a DEUTSCHE BANK NATIONAL  
TRUST COMPANY), a New York  
Corporation; DEUTSCHE BANK TRUST  
COMPANY DELAWARE (d/b/a  
DEUTSCHE BANK NATIONAL  
TRUST COMPANY), a Delaware  
Corporation;

Defendants.

Case No. C09-5454RBL

ORDER GRANTING PRELIMINARY  
INJUNCTION AND SETTING ORAL  
ARGUMENT ON EXTENSION OF  
PRELIMINARY INJUNCTION

ORAL ARGUMENT: August 28, 2009

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2                   **BASIS**

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4       This matter came before the court on August 14, 2009, on Plaintiffs' Motion for a Temporary  
5       Restraining Order [Dkt. #4] filed July 29, 2009. The court heard oral argument of counsel for Plaintiffs.  
6       None of the Defendants appeared before the Court. The Court considered the pleadings filed on this action  
7       and the following evidence:

- 8       1.) Declaration of George Peter Beck in Support of Motion for Preliminary Injunction and Temporary  
9       Restraining Order, with attached Exhibits.
- 10      2.) Declaration of Deanna Johnson, attorney, in Support of Motion for Preliminary Injunction and  
11       Temporary Restraining Order, with attached Exhibits.

12      Based on the argument of counsel, the evidence presented, and the Affidavits of Service filed under  
13     Docket No.s 19, 20, 21, 22, 23, 24, 25, and 26, the Court finds original service was completed upon all  
14     Defendants of the Summons, Complaint, Motion for Preliminary Injunction, Declaration of George Peter  
15     Beck, Declaration of Deanna Johnson, and the attached Exhibits to each Declaration. Based upon the  
16     Affidavits of Service on file under Docket Report numbers 6, 12, 13, and 16 the Court finds service was  
17     completed of this Court's Order Staying Foreclosure Sale and Setting Oral Argument on TRO of August  
18     3, 2009, upon Defendants Saxon Mortgage, Inc., Saxon Mortgage Services, Inc., Regional Trustees  
19     Services Corporation, John Wagner Escrow, and the Law Office of John R. Wagner:

20      There exists good reason for enjoining Defendants Saxon Mortgage, Inc., Saxon Mortgage  
21     Services, Inc., Regional Trustees Services Corporation, John Wagner Escrow, and the Law Offices of  
22     John R. Wagner from proceeding with the foreclosure sale of Plaintiffs' home located at 620 Winlock  
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1 Vader Road, Winlock, WA 98596 for the limited period of time from August 14, 2009, until August 28,  
2 2009, and to schedule oral argument on an extension of the preliminary injunction for 9:00AM on August  
3 28, 2009, in B Courtroom before Judge Ronald B. Leighton.  
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5 For the reasons set forth above, the Plaintiff's motion is hereby granted.

6 **ORDER**

7 Saxon Mortgage, Inc., Saxon Mortgage Services, Inc., Regional Trustees Services  
8 Corporation, John Wagner Escrow, and the Law Office of John R. Wagner, P.S., and their officers,  
9 agents, servants, employees, and attorneys, and all other persons in active concert and participation with  
10 Regional Trustees Services Corporation who received actual notice of this order, are:

- 11 1. Enjoined from proceeding with the foreclosure sale on the home located at 620 Winlock Vader  
12 Road, Winlock, WA 98596.  
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14 2. This order shall go into effect for a limited period of time immediately August 14, 2009, and  
15 shall remain in effect until August 28, 2009, or further order of the court.  
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17 3. Oral Argument on an Extension of the Preliminary Injunction is scheduled for 9:00AM on  
18 August 28, 2009, in B Courtroom before Judge Ronald B. Leighton.

19 IT IS SO ORDERED.

20 Dated this 17th day of August, 2009.

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24 RONALD B. LEIGHTON  
25 UNITED STATES DISTRICT JUDGE  
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